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Forty-ninth session
Item 114 of the provisional agenda*

PATTERN OF CONFERENCES

Review of, inter alia, the need for and usefulness and timely issuance of verbatim and summary records

Report of the Secretary-General

Addendum

1. As foreseen in the Secretary-General's report contained in document A/49/276, the present addendum summarizes the contents of two further replies to the letter dated 16 May 1994 from the Chairman of the Committee on Conferences which were received subsequent to the publication of the report.

2. One reply noted that the United Nations Commission on International Trade Law had at its twenty-seventh session confirmed the need for summary records for the portions of its session at which legal texts were being considered for adoption, as the summary records were an important part of the travaux préparatoires.

3. Another reply noted that the International Law Commission had at its forty-sixth session concluded that its views expressed earlier on the matter continued to be valid and had reiterated them as recommendations to the General Assembly. In its report to the General Assembly at its forty-ninth session, the Commission would stress that the provision of summary records of its proceedings was not exclusively a budgetary and administrative question but involved primarily matters of legal policy affecting the process of the promotion of the progressive development of international law and its codification undertaken by the United Nations pursuant to Article 13, paragraph 1 (a), of the Charter. The discontinuance of summary records would affect the Commission's procedures and methods of work and have a negative impact on its performance of the tasks entrusted to it by the General Assembly.

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4. The need for summary records was determined by the International Law Commission's functions and composition. As its task was mainly to prepare drafts providing a basis for the elaboration by States of legal instruments, the debates and discussions held in the Commission on proposed formulations were of paramount importance, in terms of both substance and wording, for the understanding of the rules proposed to States by the Commission. In addition, since its members served in a personal capacity and did not represent Governments, States had a legitimate interest in knowing not only the conclusions of the Commission as a whole as recorded in its reports but also those of its individual members as reflected in the summary records. Moreover, the summary records were a means of making the Commission's deliberations accessible to international institutions, learned societies, universities and the public in general. They thus played an important role in promoting knowledge of and interest in the process of promoting the progressive development of international law and its codification.

5. The Commission would therefore be recommending to the General Assembly the continuing provision of summary records for its meetings as well as the continued publication of the summary records in volume I of the Yearbook of the International Law Commission.

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2. In its reply, the Committee on the Exercise of the Inalienable Rights of the Palestinian People noted that, in view of the importance and political sensitivity of the subject-matter it was mandated to deal with, the provision of summary records to the Committee should be maintained. Such records were a useful and accurate historical account of the Committee's deliberations.

3. Moreover, the Committee was concerned about delays in the issuance of summary records, and was of the view that the timely issuance of such records would enhance their value and usefulness as an important reference tool.

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